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and Co. and Kmart Corporation*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. 07-5944 (JST)
MDL No. 1917

This Document Relates to:

*Sears, Roebuck & Co., and Kmart Corporation
v. LG Electronics, Inc., et al.*, Case No. 11-cv-
5514 (SC)

**DECLARATION OF JALAINÉ
GARCIA IN SUPPORT OF SEARS
AND KMART'S ADMINISTRATIVE
MOTION TO FILE DOCUMENT
UNDER SEAL PURSUANT TO
LOCAL RULES 7-11 AND 79-5**

I, JALAINÉ GARCIA, hereby declare as follows:

1. I am an attorney at the law firm of Kenny Nachwalter, P.A., counsel of record for Plaintiffs Sears, Roebuck and Co. and Kmart Corporation (collectively "Sears/Kmart") in this action. I am admitted to practice *pro hac vice* before the United States District Court for the Northern District of California. I make this declaration in support of Sears/Kmart's Administrative Motion to File Document Under Seal Pursuant to Civil Local Rules 7-11 and 79-5.

2. The statements contained in this declaration are based on my personal knowledge and, if called as a witness, I could competently testify to the following facts.

3. On June 18, 2008, the Court issued a Stipulated Protective Order in this matter [ECF No. 306] (the “Protective Order”).

4. On October 27, 2016, Sears/Kmart filed an Administrative Motion to Seal, and lodged under seal, pursuant to Civil Local Rules 7-11 and 79-5(d), the entirety of Column F of Exhibit A which is attached to Sears and Kmart’s Administrative Motion to Establish a Procedure to Streamline Trial and Minimize Unfounded Evidentiary Objections, which contains excerpts of deposition testimony from that has been designated as “Confidential” or “Highly Confidential” by the following parties pursuant to the Protective Order:

Row Number(s)	Deponent	Deposition Date(s)	Designating Parties
2, 3, 4, 5	Dae Eui Lee	January 1, 2013	Samsung
6, 7, 8, 9, 10	Michael Son	February 5, 2013	Samsung
11, 12, 13, 19, 95	Kasutaka Nishimura	January 11, 2014	Toshiba
12, 13	Ayumu Kinoshita	February 5-6, 2013	Panasonic
12, 14, 15	Shinichi Iwamoto	February 8, 2013	Panasonic
13, 18, 20, 40, 41, 42, 43, 44, 45, 46	Yasuki Yamamoto	July 1-3, 2013	Toshiba
16	Jing Song Lu	February 27-28, 2013	Toshiba
17	Hirokazu Nishiyama	March 5-6, 2013	Panasonic
21, 105	Kyi In Choi	August 25, 2014	LG
21, 22	Sang-Kyu Park	March 20-22, 2013	Samsung
23, 24, 25	Nobuhiko Kobayashi	May 15-17, 2013	Hitachi
26, 27, 28, 30, 32, 33	Nobuaki Ito	May 22-24, 2013	Hitachi
29, 34, 35, 36, 37, 38	Yuuichi Kumazawa	May 29-31, 2013	Hitachi
31, 85	Noburu Toyama	March 11, 2014	Hitachi
39, 88	Norio Fujita	June 4-5, 2014	Toshiba

Row Number(s)	Deponent	Deposition Date(s)	Designating Parties
47, 48, 51, 52, 53	Pil Jae Lee	July 16-17, 2013	LG
50, 51, 81, 83	Patrick Canavan	January 30-31, 2014	Philips
54, 55, 56, 57, 58, 59	Jae In Lee	June 6-7, 2012; July 25-26, 2013	Samsung
60, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79	Kyung Chul Oh	November 19-21, 2013	Samsung
61, 62, 63, 64	Masaki Sanogawaya	July 31, 2013-August 2, 2013	Panasonic
65, 87, 115, 116, 117, 118, 119, 120	Tomoyuki Kawano	October 28-29, 2014	Toshiba
66	Shinichiro Tsuruta	September 25-27, 2013	Panasonic
67, 68, 69	Masashi Muramatsu	October 8-9, 2013	Panasonic
80, 82	Joseph Killen	May 15, 2014	Philips
84	Kazumasa Hirai	February 4-5, 2014	Hitachi
86	Hun Sul Chu	February 11-13, 2014	Samsung
89, 91	Kris Mortier	June 9-10, 2014	Philips
90, 121, 122, 123, 124	Emeric Charamel	March 10, 2015	Thomson
92, 93, 94	Kazutaka Nishimura	June 10-12, 2014	Toshiba
96, 97	W. R. Kim	July 1-2, 2014	Samsung
98, 99, 100, 101, 102, 103	Jeffrey Johnson	August 13-14, 2014	Philips
106	Christian Lissorgues	March 10, 2015	Thomson
107, 108	Hitoshi Tsukamoto	September 22-23, 2014	Mitsubishi
109, 110	Jan De Lombaerde	October 9-10, 2014	Philips
111, 112, 113	Clayton E. Bond	October 16, 2014	Toshiba
114	Young Bae Na	September 23, 2014	LG

Row Number(s)	Deponent	Deposition Date(s)	Designating Parties
125, 126	Hideo Innami	April 25, 2016	Mitsubishi

5. Sears/Kmart seeks to submit the entirety of Column F of Exhibit A which contains deposition testimony that has been designated as “Confidential” or “Highly Confidential” by other parties under seal in good faith to comply with the Protective Order, the Honorable Jon S. Tigar’s Standing Order Governing Administrative Motions to File Materials Under Seal, and Civil Local Rules 7-11 and 79-5.

6. To maintain the document under seal, within four days of the Administrative Motion to Seal’s filing, the Designating Parties must file a declaration establishing that the designated material is sealable.

7. Pursuant to Civil Local Rule 79-5(e), this declaration is being served on the Designating Parties referenced in the above chart.

I declare under penalty of perjury under the laws of the State of Florida and the United States of America that the foregoing is true and correct.

Executed this 27th day of October, 2016, at Miami, Florida.


Jalaine Garcia

CERTIFICATE OF SERVICE

On October 27, 2016, I caused a copy of the foregoing Declaration of Jalaine Garcia in Support of Sears and Kmart's Administrative Motion to File Document Under Seal to be electronically filed via the Court's Electronic Case Filing System, which constitutes service in this action pursuant to the Court's order of September 29, 2008.

By: Jalaine Garcia
Jalaine Garcia

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